Manitoba

ANNUAL REPORT

1983 - 1984

The Surface Rights Board of Manitoba

ERRATA PAGE

1983-84 ANNUAL REPORT OF THE SURFACE RIGHTS BOARD OF MANITOBA

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ADD MR. K. CARELS OF MELITA, MANITOBA AS THE SIXTH MEMBER OF THE SURFACE RIGHTS BOARD.

MANITOBA

MINISTER OF ENERGY AND MINES

WINNIPEG
R3C 0V8

The Honourable Pearl McGonigal

Lieutenant-Governor of Manitoba

May it please your Honour.

I have the pleasure of presenting to you the Annual Report of the Surface Rights Board of Manitoba for the fiscal year ending March 31, 1984.

Wilson Parasiuk

Minister

SURFACE RIGHTS BOARD OF MANITOBA

Phone (204) 748-3684 P.O. Box 158 VIRDEN, MANITOBA R0M 2C0

July 23, 1984

The Honourable Wilson Parasiuk
Minister of Energy and Mines
Legislative Building
450 Broadway Avenue
Winnipeg, Manitoba

Dear Sir

Re: Annual Report

In accordance with Section 15 of the Surface Rights Act, I am pleased to submit the Annual Report of the Surface Rights Board for the period of August 9, 1983 to March 31, 1984.

Yours truly,

SURFACE RIGHTS BOARD OF MANITOBA

PER:

A.H. Tucker, Presiding Member

AHT:bgb
Encl.

FIRST ANNUAL
REPORT OF THE
SURFACE RIGHTS BOARD OF MANITOBA

FOR THE PERIOD AUGUST 9, 1983 - MARCH 31, 1984

PRESENTED TO

THE HONOURABLE WILSON PARASIUK

MINISTER OF ENERGY AND MINES

INTRODUCTION:

The Surface Rights Act, Bill 5, came into existence on August 9, 1983. The purposes of the Act are:

(a) To provide for a comprehensive procedure for acquiring and utilizing surface rights;

(b) To provide for the payment of just and equitable compensation for the acquisition and utilization of surface rights.

(c) To provide for the maintenance, preservation and restoration of the surface of land acquired in connection with surface rights.

(d) To provide for the resolution of disputes between operators, occupants and owners arising out of the entry upon, use or restoration of the surface of land.

SURFACE RIGHTS BOARD

With the passage of Bill 5, a six member board was established. Mr. A. H. Tucker of Pierson, Manitoba was named Presiding Member; Mr. H. Nixon of Margaret, Manitoba, Deputy Presiding Member; Mr. S. Hegion, of Virden, Manitoba, Mr. A. Turbak, of Elkhorn, Manitoba, and Mrs. K. Angell of Virden, Manitoba.

Mr. D. Paterson was announced as legal counsel for the Board.

The newly appointed Board then set out to hire an Executive Director and Administrative Secretary to carry on the day-to-day operations of the Board.

Mr. B.T. Sheridan was named Executive Director. Mrs. Brenda Boon was hired as Administrative Secretary.

Board offices were obtained in the latter half of September, 1983. The office is located at 258 Nelson Street, West, in Virden, Manitoba.

HIGHLIGHTS OF THE YEAR:

- Establishment of Board offices at 258 Nelson Street, West, Virden, Manitoba.

- Total of 252 Applications for Variation of Compensation.

- Total of 189 signed Agreements received by the Board office.

- Total of 15 claims made under Part V - Liability for Tortious Acts.

- Total of 45 Applications for Right of Entry.

- Total of 17 Abandonment Notices.

- Total of 12 Board Orders were issued.

HEARINGS:

Because of the large number of applications for variations, it was felt that by choosing several pilot cases, the Board may be able to have the majority settled without the necessity of hearings. The pilot cases are scheduled to be heard in April, 1984.

Although the Board has issued a total of twelve orders, several are under appeal.

As with any Board, one of the difficult tasks is that of scheduling. Present systems are being revised to ensure the efficient flow of hearings.